

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHELTON BENOITE,

Plaintiff,

v.

WARDEN J. DOERER, *et al.*,

Defendants.

Case No. 1:24-cv-01407-KES-HBK (PC)

ORDER DISREGARDING PLAINTIFF'S
SUPPLEMENTARY BRIEF

(Doc. No. 20)

On June 12, 2025, the Court denied Plaintiff's motion to supplement his complaint. (Doc. No. 17) and sua sponte granted Plaintiff an extension of time to file a response to the Court's April 1, 2025, Screening Order (Doc. No. 14). (Doc. No. 19, "June 12, 2025 Order"). The Court afforded Plaintiff an opportunity to elect one of three options, including the option to file a "freestanding and complete" amended complaint. (*Id.* at 2). The Court explained that "[i]f Plaintiff elects to file an amended complaint, Plaintiff is again cautioned that his amended complaint replaces his original complaint and, thus, it must be freestanding and complete on its face." (*Id.* (citing *Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d 1542, 1546 (9th Cir. 1989))). The Court further clarified that the amended complaint "cannot reference or incorporate the prior complaint, and it must include all grounds for relief." (*Id.* (citing Local Rule 220)).

1 On June 20, 2025, Plaintiff filed the instant Supplementary Brief in Regard to Filing
2 Federal Claims and Complaints. (Doc. No. 20, “Motion”). This pleading attaches various
3 grievances and the institution’s responses. (*Id.* at 3-11). Because Plaintiff’s Brief was signed and
4 dated June 9, 2025, the Court presumes that Plaintiff was unaware of the June 12, 2025 Order
5 when submitting the instant pleading, and that the Court’s June 12, 2025 Order and Plaintiff’s
6 instant pleading “passed in the mail.” (*See id.* at 2). As pointed out in the Court’s June 12, 2025
7 Order, Plaintiff must submit a free-standing amended complaint if he wishes to proceed on this
8 action. (*See* Doc. No. 19 at 2).

9 Accordingly, it is **ORDERED**:

10 The Court disregards Plaintiff’s Supplementary Brief (Doc. No. 20) for the same reasons
11 stated in the June 12, 2025 Order.

12
13 Dated: June 24, 2025


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE